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Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH	)	Case No.: CO7-03605-PJH-JCS
FOURSQUARE GOSPEL,	)	
Plaintiff,	)	<b>PLAINTIFF AND REAL PARTY IN</b>
	)	<b>INTEREST'S OBJECTIONS TO</b>
	)	<b>DEFENDANT'S REQUEST FOR</b>
	)	<b>JUDICIAL NOTICE OF EXHIBITS</b>
v.	)	<b>32-33</b>
	)	
CITY OF SAN LEANDRO, et. al.	)	
Defendants.	)	Date: October 1, 2008
	)	Time: 9:00 a.m.
	)	Courtroom: 3
FAITH FELLOWSHIP FOURSQUARE	)	Hon.: Phyllis J. Hamilton
CHURCH,	)	
	)	
Real Party in Interest.	)	

DECLARATION OF KEVIN T. SNIDER

1 Plaintiff and Real Party in Interest (hereinafter “Church”) offer the following  
2 objection to the Request for Judicial Notice of Exhibits 32-33 (Court Document  
3 132-24) offered in support of Defendant’s Motion for Summary Judgment.  
4

5 Exhibit 32 is Webster’s New Unabridged Universal Dictionary (1992),  
6 definition of “assembly.”  
7

8 Exhibit 33 is Webster’s New Unabridged Universal Dictionary (1992),  
9 definition of “institution.”  
10

11 Webster’s definition of “assembly” is irrelevant. Fed. R. Evid. 401, 402. For  
12 purposes of assemblies under RLUIPA, it is the legislative intent that governs the  
13 terms of a statute. *In re Co Petro Marketing Group, Inc.*, 680 F.2d 566, 570 (9<sup>th</sup> Cir.  
14 1982). The congressional record provides examples of assembly use as follows:  
15 “banquet halls, clubs, community centers, funeral parlors, fraternal organizations,  
16 health clubs, gyms, places of amusement, recreation centers, lodges, libraries,  
17 museums, municipal buildings, meeting halls, and theatres,” H.R. Rep. No. 106-219,  
18 106th Cong., 1st Sess. 19 (1999); and “recreation centers and health clubs,” 146  
19 Cong. Rec. S7774-01 at S7777 (daily ed. July 27, 2000).  
20  
21

22 Webster’s definition of “institution” is irrelevant. Fed. R. Evid. 401, 402.  
23 For purposes of assemblies under RLUIPA, it is the legislative intent that governs  
24 rather than the terms of a statute. *In re Co Petro Marketing Group, Inc., Id.*.  
25

26 /S/ Kevin Snider  
27 Kevin T. Snider, Declarant  
28

DECLARATION OF KEVIN T. SNIDER